

Government of the District of Columbia  
ZONING COMMISSION



Zoning Commission Order No. 43  
January 20, 1972

ORDERED:

That after public notice and hearing prescribed by law, and evidence having been received on all issues, including, but not limited to, the merits of the planned unit development, questions of public notice and procedure, and whether pursuant to Section 7501.392 of the Zoning Regulations, the Zoning Commission should impose any further guides, standards, conditions and limitations upon the planned unit development; all questions of procedure and jurisdiction raised by proponents and opponents of the planned unit development, including a petition by Citizens for City Living and the McLean Gardens Residents Association to vacate the preliminary approval, and a petition by Equitable Life Insurance Company to vacate the preliminary approval or, alternatively, to stay consideration of the final application, having been considered and denied; the following final application for a planned development under Article 75 of the Zoning Regulations is found to be in accordance with the public health, safety, and welfare and in harmony with the intent and purpose of the Zoning Regulations and is approved by the Zoning Commission subject to the elements, conditions and guidelines hereinafter set forth:

Case No. 71-2

Final application under Article 75 of the Zoning Regulations for a Planned Unit Development of Squares 1798, 1819, 1820, 1821, 1822 and 1823 and portions of public streets and alleys proposed to be closed. Site known as McLean Gardens, located on the west side of Wisconsin Avenue in the area of Newark, Porter and Rodman Streets, N.W.

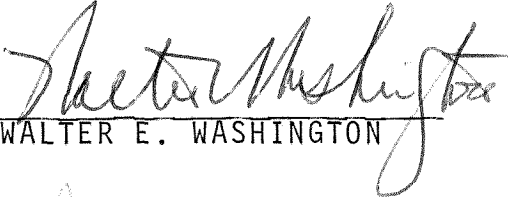
The plan as submitted is hereby modified by the Zoning Commission and development is approved in accordance with Z.C. Order No. 44, Case No. 71-13, and the conditions and guidelines as follows:

1. The new streets shown on the proposed site plan (Sheet D-1) shall be dedicated with 90-foot rights-of-way. The right-of-way for the street designated "Plaza Place" shall start 365 feet west of the Wisconsin Avenue right-


of-way and run parallel to Wisconsin Avenue except at its intersection with Newark Street as shown on the plan. The Commission further orders that this "Plaza Place," should ultimately be known as 39th Street. Notwithstanding the requirements of this paragraph, no permits shall be issued until the street and alley closings and dedications are approved in accordance with applicable laws.

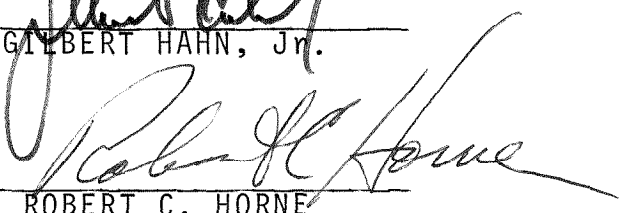
2. The proposed hospital and related facilities shall be eliminated from the development plan.
3. The proposed motel shall be reduced to not more than 350 units located in the commercial portion of the project.
4. At least 442 of the 2,210 dwelling units shall be for persons and families of moderate income including the elderly. "Persons and families of moderate income" means persons and families who qualify for admission to, or for purchase of, housing constructed under Sections 235 and 236 of the National Housing Act, as amended, and regulations of the U.S. Department of Housing and Urban Development adopted thereunder. This definition applies irrespective of the means of financing.
5. The development shall not exceed in the aggregate 2.5 FAR and any additional adjustment in gross floor area needed to stay within this limit and the requirements of paragraphs 1, 2, and 3 above, shall be as a result of reductions in retail space, office space or further reduction of the motel, at the developers' option.
6. The height of the commercial buildings shall be taken from Wisconsin Avenue and the height of residential buildings shall be taken from "Plaza Place" (39th Street relocated) and 39th Street as appropriate in accordance with the Zoning Regulations.
7. The Zoning Commission will permit pedestrian bridges over streets provided these connections shall not be constructed to make commercial and residential structures one building and provided such air rights structures are approved in accordance with applicable regulations.
8. The hospital and the portion of the motel on the residential side of "Plaza Place" (39th Street relocated) shall be replaced with residential structures consistent with the site planning expressed on Sheet D-1.
9. Each stage of development shall contain residential and commercial components in the approximate proportion of the final development.

10. The staging of this redevelopment shall provide for the relocation and housing needs of the existing tenants on the site.
11. There shall be no development on or over easements of the United States Government.
12. The location of buildings and structures along the western boundary of the project shall be adjusted as recommended by the National Capital Park Service letter to the National Capital Planning Commission dated October 1, 1971.
73. There shall be recorded a permanent public easement for pedestrian access to Glover Archbold Park from Wisconsin Avenue, located across the northern portion of the project.
14. At the time of filing with the Board of Zoning Adjustment for further processing of the first stage of development the developers shall submit, in addition to the required detailed plans for Stage I, revised general plans for the project consistent with the requirements of this order. Before approving Stage I, the Board of Zoning Adjustment shall first require that the revised plans for the total project fully comply with the intent of this order.

  
WALTER E. WASHINGTON

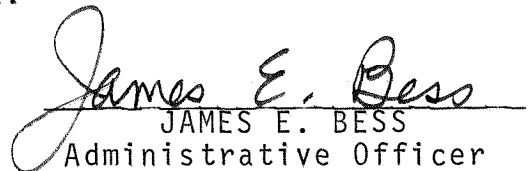
  
GILBERT HAHN, Jr.

  
STERLING TUCKER

  
ROBERT C. HORNE

  
GEORGE M. WHITE

Attested:

  
JAMES E. BESS  
Administrative Officer